DIRECT INVESTIGATION

REPORT ON
MONITORING OF CASES WITH STATUTORY TIME LIMIT FOR PROSECUTION

March 2007

Office of The Ombudsman

Hong Kong

CONTENTS

EXECUTIVE SUMMARY

Chapter		*Paragraphs*
1	*INTRODUCTION*	
	Background	*1.1 - 1.3*
	Purpose and Ambit	*1.4*
	Methodology	*1.5 - 1.6*
	Investigation Report	*1.7*
2	*PROSECUTION BY FEHD*	
	Mission	*2.1 - 2.4*
	Prosecution Procedures	*2.5 - 2.12*
	Case Studies	*2.13*
3	*CASE STUDIES*	*3.1 - 3.2*
	Case 1	*3.3 - 3.5*
	Case 2	*3.6 - 3.9*
	Cases 3A and B	*3.10 - 3.13*
	Case 4	*3.14 - 3.16*
	Case 5	*3.17 - 3.21*
	Case 6	*3.22 - 3.23*
	Case 7	*3.24 - 3.26*
	Case 8	*3.27 - 3.31*
	Our Comments	*3.32*
	Recent Improvement Measures	*3.33 - 3.34*
4	*OBSERVATIONS AND OPINIONS*	
	Time Limit	*4.1 - 4.2*
	Exceeding the Time Limit	*4.3 - 4.4*
	Prosecution and Monitoring of Progress	*4.5 - 4.19*
	Extension of Time Limit	*4.20 - 4.21*
	Withdrawal of Prosecutions	*4.22 - 4.27*
	Classification of Cases	*4.28 - 4.29*
	Concluding Comments	*4.30 - 4.31*
5	*RECOMMENDATIONS*	*5.1 - 5.3*
	District Operations	*5.4*
	Prosecution Section	*5.4*
	Extension of Time Limit	*5.4*
	Withdrawal of Prosecutions	*5.4*
	Communication with the Public	*5.4*
	Classification of Cases	*5.4*
	Co-ordination with Government Laboratory	*5.4*

Monitoring by Headquarters 5.4
Legal Advice 5.4
Operational Manual 5.4

6 FINAL REMARKS
Comments from the Food and Environmental Hygiene Department 6.1 - 6.2
Final Remarks from The Ombudsman 6.3 - 6.5

ANNEXES

A *Public Health and Municipal Services Ordinance*
B *Organization Chart*

EXECUTIVE SUMMARY

Direct Investigation:
Monitoring of Cases with Statutory Time Limit for Prosecution by Food and Environmental Hygiene Department

Background

The Food and Environmental Hygiene Department ("FEHD") is responsible for enforcing a number of ordinances and regulations concerning food safety and environmental hygiene. Prosecution of these offences must be brought within a statutory time limit of six months.

2 We noted that FEHD had been debarred from prosecuting offenders in certain cases because the statutory time limit had expired. Our preliminary examination revealed systemic deficiencies. The Ombudsman, therefore, declared this direct investigation under section 7(1)(a)(ii) of The Ombudsman Ordinance, Cap. 397 on 14 September 2006, to examine:

(a) procedures and practices for processing cases with statutory time limit for prosecution (but not the decisions to prosecute or not); and

(b) system, if any, for monitoring progress of cases for prosecution to ensure timely action.

Prosecution Procedures

3 Prosecution procedures are set out in the Operational Manual for Hygiene Services. An Assistant Director (Operations) is in overall command of environmental hygiene matters in each of Hong Kong Island, Kowloon and the New Territories regions, covering 19 district offices. Separately, the Food Surveillance and Control Division under another Assistant Director is responsible for handling food-related cases.

District Operations

4 District Offices are responsible for such operations as market management, street cleansing, hawker control, inspection of licensed food premises and law enforcement. When a district action officer ("AO") finds that an offence has been committed, he prepares a summons file for reporting to the section head at the rank of Senior Health Inspector ("SHI(District)"). SHI(District)[1] vets the summons file to ensure that there is sufficient *prima facie* evidence for prosecution and forwards it to the Prosecution Section in Headquarters.

Prosecution Section

5 Upon receiving a summons file, the Prosecution Section will action as follows:

(a) A clerical staff records receipt of the case and staples on the file jacket a reminder of the date on which the time limit expires ("the time-bar date").

[1] For simplicity, SHI(District) in this report also denotes SHI of the Food Surveillance and Complaint Section in case the complaint was handled by that Section.

(b) A Senior Health Inspector ("SHI(Prosecution)") double checks the evidence and, if not satisfied, returns the file to the district for further evidence or clarification.

(c) If the case is in order, SHI(Prosecution) passes the file to a clerical staff to allot a departmental reference number.

(d) A clerical staff then inputs data into the Judiciary's Case and Summons Management System ("CASEMAN") for issue of summons. Cases past the time-bar date are automatically rejected by the system.

Withdrawal

6 When a case has to be dropped because of expiry of the statutory time limit or other reasons, approval from a Chief Health Inspector (District) is required. For cases arising from complaints, SHI(District) informs the complainants of the outcome.

Observations and Opinions

7 Over the past three years, 33 summonses were time-barred. We have summarised their reasons for failure to proceed to prosecution:

Reasons	No. of summonses
Mistake	3
Ignorance of legal requirement	3
Misplacement of file	2
Delay	12
Report issued by Government Laboratory after time limit	11
Advice issued by Department of Justice on or after time-bar date	2

8 Whether or not to prosecute is a matter of departmental policy, which is outside the scope of this study. However, the points we raise here are:

(a) once it has been decided to prosecute, offenders should not be allowed to get away scot-free because of carelessness or dilatoriness of enforcement staff;

(b) the arrangements with the Government Laboratory should be better coordinated;

(c) monitoring mechanism is not evident; and

(d) the authority for dropping a case for prosecution is at too low a level.

9 Some cases are summarised below to illustrate the various reasons for

their being time-barred.

10 **Irresponsible vetting.** **Case I** reveals a lax and, therefore, worrying attitude among some FEHD staff. SHI(Prosecution) missed two summons forms in the file. If she had gone through the file thoroughly to check if there was sufficient evidence to proceed, she should have spotted that there were three offences on three different dates.

11 **Protracted processing.** In **Case II,** the Prosecution Section took almost three months to allot a departmental reference number and apply for summons.

12 **Mistaken calculation of time limit.** According to legal advice, in case of unauthorised alteration to premises for licensing, the time limit should normally count from the date the approved plan was last checked, not the date the breach was detected. **Case III** was time-barred because of unawareness of this, resulting in wrongful calculation of the time limit. In three years, three cases were time-barred for this reason. FEHD should consider amending the law to enable FEHD staff to initiate prosecution within six months from the unauthorised alteration being discovered or coming to their notice.

13 **Failure to follow through.** In **Case IV,** the Prosecution Section staff had misplaced the file, which re-surfaced only after the time-bar date had expired. In **Case V,** the summons file never reached the Prosecution Section but the district staff who had despatched the file was not even aware. In addition to possible deficiencies in the despatch procedures, a communication gap exists between the Prosecution Section and district staff.

14 **Poor case management.** In **Case VI** where the time-bar had become imminent, SHI(District) had repeatedly reminded AO of the urgency of the case. The latter remained lethargic and the time limit expired. SHI(District), as the section head, should have taken more proactive steps to pursue the case by pressing and coaching AO.

Classification of Cases

15 In **Case VII**, Government Laboratory reported to FEHD, after the time limit had expired, that there was insufficient evidence. We consider that FEHD should have come clean and classified such cases as having to be dropped not just on insufficient evidence, but also due to expiry of the time-bar date.

16 FEHD and the Government Laboratory had taken the initiative to close the time gap. Nevertheless, FEHD should alert the Government Laboratory to the urgency of the matter and check the progress to keep abreast of the time-bar date.

17 **Delay in sending food samples for analyses.** In **Case VIII**, a milk product sample was sent for chemical analysis after a few hours lapse by the complainant and a four-day lapse by FEHD staff. Legal advice received on the time-bar date indicated that because of the lapses, there was no reasonable prospect of securing a conviction and the case had to be dropped.

Withdrawal of Prosecutions

18 For consistency in approving withdrawal, involvement of senior officials at directorate level is warranted. The approving officer should also vet

replies to complainants to guard against errors as outlined below and damage to the credibility of enforcement.

19 In Case VIII, the complainant was first told that prosecution would be initiated and then advised otherwise three weeks later. This can only breed puzzlement and disappointment to the complainant, also discredit for the department. Care must be exercised in communicating with complainants to ensure accuracy as well as transparency.

20 Two of the cases we studied were time-barred because FEHD had misplaced the summons file. This was, however, not what the complainants were told. In Case IV, the time limit had expired on 3 July 2005. However, in explaining to the complainant why no prosecution was to result, FEHD fudged the issue by telling the partial truth about the unlicensed restaurant ceasing operation on 31 July 2005 but not that prosecution was time-barred.

21 In Case V, nowhere in the file had FEHD staff ever indicated concern over the lack of evidence. However, the complainant was told that the case had been dropped due to insufficient evidence. This was simply not true.

22 Such action is tantamount to giving knowingly false information or bluntly put, covering up their mistake by lying to members of the public. This is even more serious than the mistake itself.

Concluding Comments

23 Timely and proper management of cases, particular over significant

issues such as withdrawal of prosecution, is crucial to effective and efficient discharge of duty for the administration of justice. In this connection, FEHD has recently introduced monitoring of on-going cases by headquarters and other improvement measures since we initiated this investigation. We consider that the directorate staff should have an overview of the whole situation. Prosecution cases which did not proceed further (for whatever reason) and cases which had been completed should both be monitored. Regular returns on cases prosecuted (with time spent) and dropped (with reasons) should be submitted to headquarters for examination and random inspection of files by directorate members.

24 We appreciate the remedial efforts of FEHD to improve the procedures in handling cases for prosecution and in monitoring developments. However, those supplementary instructions and guidelines have been issued through email messages. They should be consolidated and incorporated into the Operational Manual, and be reviewed from time to time for updating as necessary.

25 By enforcing the Public Health and Municipal Services Ordinance and various regulations, FEHD safeguards our food hygiene and public health. In this connection, the public has high expectations. Even a few slips may cause untold damage to food safety and affect public confidence in the law and its enforcement authority. Rigorous vigilance is critical.

26 On the basis of our observations, The Ombudsman has made the following recommendations to the Director of Food and Environmental Hygiene:

District[2] Operations

[2] For simplicity, District in this report denotes the Food Surveillance and Complaint Section

(1) to review the coordination between the District operations and the Prosecution Section to ensure close and direct liaison: para. 13;

(2) to review despatch procedures: para. 13;

(3) to instil among SHIs(District) the concept of good case management: para. 14; and

(4) to review the procedures for handling food samples, particularly those subject to easy deterioration to ensure timely analysis: para. 17.

Prosecution Section

(5) to review the procedures for checking evidence and handling cases for prosecution in the case mentioned in para. 10;

(6) to impress upon staff that reliance on the clerical staff should not absolve the SHIs(Prosecution) from their responsibility: para. 10;

(7) to remind staff of the importance to be conscious of

---

as well.

the time limit: para. 11;

(8) to remind staff to take prompt action: para. 11; and

(9) to assess regularly the Judiciary's quota for different prosecution units and to review its adequacy where appropriate: para. 11.

Extension of Time Limit

(10) to consider amending the law for prosecuting offences in relation to unauthorised alteration: para. 12.

Withdrawal of Prosecution

(11) to devise a system for involving directorate staff for approval to withdraw cases for prosecution: para. 18;

(12) to involve directorate staff for scrutinising replies to complainants on withdrawal of prosecution: para. 18; and

(13) to submit regular returns on prosecution cases which did not proceed (for whatever reason) for scrutiny by the directorate staff: para. 23.

Communication with the Public

(14) to remind staff to attend to accuracy as well as transparency in communicating with the public: para. 19;

(15) to disclose full and frank information to the public, wherever appropriate: para. 20; and

(16) to warn staff against covering up mistakes by giving knowingly false information: paras. 21 to 22 .

Classification of Cases

(17) to set up guidelines on classifying cases dropped: para. 15.

Co-ordination with Government Laboratory

(18) alert the Government Laboratory to urgent cases and check progress to keep abreast of the time-bar date: para. 16.

Monitoring by Headquarters

(19) to submit regular returns on completed cases to headquarters for scrutiny: para. 22.

Legal Advice

(20) to review the current arrangement for disseminating important information (e.g. legal advice) to staff concerned: para. 12; and

(21) to review the procedures for seeking timely legal advice: para. 17.

Operational Manual

(22) to consolidate and incorporate the supplementary instructions into the Operational Manual: para. 23.

Comments from FEHD

27 FEHD has accepted all our recommendations and has in fact already started to implement some of them.

Final Remarks from The Ombudsman

28 The Ombudsman is grateful to FEHD for close cooperation throughout the investigation, prompt and positive response to our findings and proactive implementation of our recommendations. We particularly appreciate the improvement measures introduced on its own initiative shortly after we initiated this direct investigation. We also commend the earnest service attitude of FEHD

directorate in taking this exercise as an opportunity to revamp its monitoring mechanism.

Office of The Ombudsman

Ref. OMB/DI/155

March 2007

1

INTRODUCTION

BACKGROUND

1.1 The Food and Environmental Hygiene Department ("FEHD") is responsible for enforcing a number of ordinances and regulations concerning food safety and environmental hygiene. Prosecution of these offences must be brought within six months from the date the offence is committed. This statutory six-month limit is known as the "time-bar".

1.2 In the course of handling some complaints, we noted that FEHD had been debarred from prosecuting offenders because the time limit had expired. Our preliminary examination showed up some deficiencies in FEHD's procedures and practices. The Ombudsman, therefore, decided to initiate a direct investigation. However, this investigation will not in any way touch on FEHD's decisions to prosecute or not.

1.3 On 18 August 2006, The Ombudsman informed the Director of Food and Environmental Hygiene ("DFEH") of her decision to initiate a direct investigation under section 7(1)(a)(ii) of The Ombudsman Ordinance, Cap. 397. In a press conference held on 14 September 2006, The Ombudsman announced

this direct investigation.

PURPOSE AND AMBIT

1.4 The ambit of our investigation is to examine:

(a) procedures and practices for processing cases with statutory time limit for prosecution (but not the decisions to prosecute or not); and

(b) system, if any, for monitoring progress of cases for prosecution to ensure timely action.

METHODOLOGY

1.5 We have studied and analysed information including administrative procedures and statistical data. We have also examined the files of 33 summonses which did not proceed to prosecution because they were time-barred. We held discussions with FEHD representatives throughout the investigation.

1.6 Members of the public were invited to give comments and suggestions from 14 September to 13 October 2006.

INVESTIGATION REPORT

1.7 A draft investigation report was sent on 16 February 2007 to DFEH for comments. A meeting to discuss the draft report was held on 13 March 2007. The comments were received on the same day. This final report was issued on 19 March 2007.

2

PROSECUTION BY FEHD

MISSION

2.1 The mission of FEHD is to safeguard public health and food safety. In this regard, DFEH is the authority for enforcing the Public Health and Municipal Services Ordinance ("the Ordinance"), Cap. 132 in connection with the following:

- control of food premises;
- control of food safety;
- public hygiene;
- hawker control;
- public markets; and

- street cleansing.

2.2 Food safety and environmental hygiene are not separable. A number of regulations are made under the Ordinance to specify standards and procedures: e.g. Colouring Matter in Food Regulations, Dried Milk Regulations, Sweeteners in Food Regulations, Food Business Regulation, Public Cleansing and Prevention of Nuisances Regulation, Public Markets Regulation. The regulations made under the Ordinance are listed in **Annex A.**

2.3 FEHD is also responsible for enforcing other statutory provisions: e.g. obstruction of public places under section 4A of the Summary Offences Ordinance, Cap. 228.

2.4 Pursuant to section 26 of the Magistrates Ordinance, Cap. 227, prosecutions instituted under these provisions are subject to a time limit. Otherwise, the cases have to be dropped.

PROSECUTION PROCEDURES

Operational Manual

2.5 Prosecution procedures are set out in the Operational Manual for Hygiene Services ("the Operational Manual"). Those on identification of the accused, collection of evidence and application for summons are set out in detail. The time allowed for each step is also specified.

Organization

2.6 An Assistant Director (Operations) is in overall command of environmental hygiene matters in each of Hong Kong Island, Kowloon and the New Territories regions, divided into 19 district offices:

Hong Kong Island	Kowloon	New Territories
Central/Western	Kowloon City	Kwai Tsing
Eastern	Kwun Tong	North
Islands	Mong Kok	Sai Kung
Southern	Sham Shui Po	Sha Tin
Wanchai	Wong Tai Sin	Tai Po
	Yau Tsim	Tsuen Wan
		Tuen Mun
		Yuen Long

Separately, the Food Surveillance and Control Division under another Assistant Director is responsible for handling food-related cases. A simplified organization chart is at **Annex B**.

District Operations

2.7 District Offices are responsible for such operations as market management, street cleansing, hawker control, inspection of licensed food premises and law enforcement. When a district action officer ("AO") finds that an offence has been committed, he should collect evidence and inform the suspect of the intended prosecution. AO then prepares a summons file for reporting to the section head at the rank of Senior Health Inspector

("SHI(District)")[1]. SHI(District) vets the summons file to see if there is sufficient evidence for prosecution. Such evidence includes:

- proof of vehicle/property ownership;
- particulars of business registration;
- particulars of company registration;
- bacteriological or chemical examination results; and
- witness statements.

If SHI(District) considers that there is insufficient *prima facie* evidence, he returns the file to AO for collection of further evidence.

2.8 On sufficient evidence of a *prima facie* case, SHI(District) sends a Notice of Intended Prosecution to the accused and forwards the file to the Prosecution Section in FEHD Headquarters. According to the Operational Manual, district staff should complete their actions within 38 working days.

2.9 Each AO keeps a Record of Prosecution and SHI(District) a Register of Summons for monitoring progress of the cases.

Prosecution Section

[1] For simplicity, SHI(District) in this report also denotes SHI of the Food Surveillance and Complaint Section in case the complaint was handled by that Section.

2.10 Upon receiving a summons file, the Prosecution Section will action as follows:

(a) A clerical staff records receipt of the case and staples on the file jacket a reminder of the date on which the time limit expires ("the time-bar date").

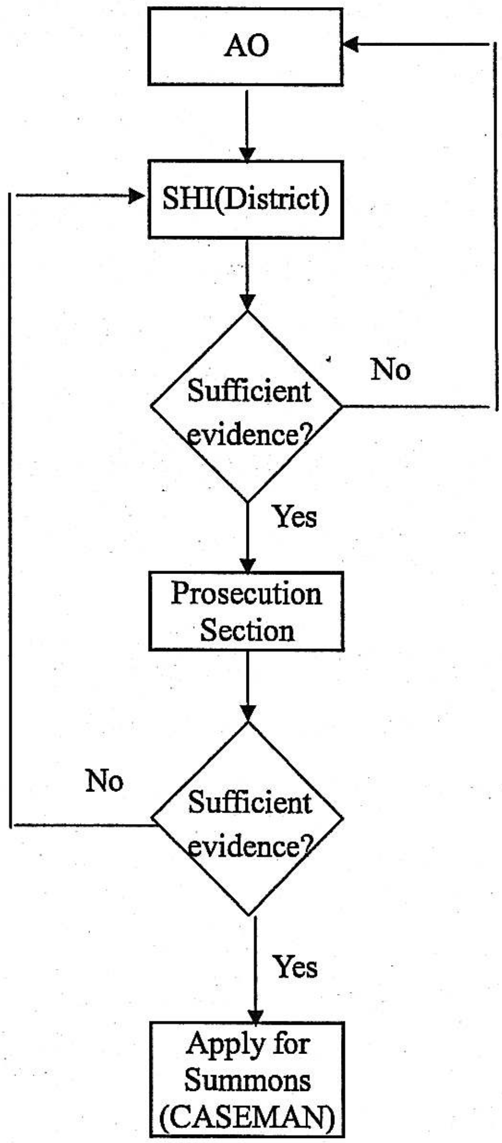
(b) A Senior Health Inspector ("SHI(Prosecution)") double checks the evidence and, if not satisfied, returns the file to the district for further evidence or clarification.

(c) If the case is in order, SHI(Prosecution) passes the file to a clerical staff to allot a departmental reference number.

(d) A clerical staff then inputs data into the Judiciary's computer system, Case and Summons Management System ("CASEMAN"), for issue of summons. Cases past the time-bar date will be automatically rejected by the system.

According to the Operational Manual, unless a file has to be returned to a district for further evidence or clarification, these steps should be completed within 36 working days.

2.11 The file movement of cases that proceed to the issue of summons may be traced by a simplified flowchart:



Withdrawal

2.12 When a case has to be dropped because of expiry of the statutory time limit or other reasons, approval from a Chief Health Inspector(District) is required. For cases arising from complaints, SHI(District) informs the complainants of the outcome.

CASE STUDIES

2.13 To examine the effectiveness of FEHD monitoring system, we have studied some cases where FEHD had been debarred from prosecuting the offenders because the time-bar date had expired. These cases are summarised in Chapter 3.

3

CASE STUDIES

3.1 Over the past three years (1 April 2003 to 31 March 2006), a total of 109 summonses did not proceed to prosecution for the following reasons:

Reasons	**No. of summonses**
Insufficient evidence	68#
Time-barred	33[2]
Uncooperative witness or complainant	5#
Others	3#
Total	**109**

3.2 33 summonses were time-barred. A number of them are summarised below to illustrate the various reasons for their being time-barred.

Case 1

[2] This figure represents cases that were time-barred between 1 April 2003 and 31 March 2006.

These figures represent cases with offence dates between 1 April 2003 and 31 March 2006.

3.3 An unlicensed restaurant was found in breach of section 31(1)(b) of the Food Business Regulation (carrying on restaurant business without a licence) on 21 October, 3 November and 12 November 2003. AO prepared three summons forms and put them in one file, which after SHI(District) vetting was despatched to the Prosecution Section on 9 December 2003 for application of the three summonses.

3.4 Prosecution Section staff mistook the file to contain only one summons form. As a result, only the first offence was prosecuted. When the mistake came to light in October 2004, the time limit for the other two offences had long expired.

3.5 A FEHD Superintendent investigated the incident. SHI(Prosecution) claimed that when she vetted the file, the other two summonses were not there. The file could have subsequently been tampered with by other staff. The Superintendent considered that this could not be ruled out and did not pursue the matter. Nevertheless, he reminded all prosecution staff to exercise due care, in particular clerical staff to check the number of summons forms upon receipt of a file and then allocate one file jacket for each of them.

Case 2

3.6 An unlicensed fresh provision shop was found in breach of section 31(1)(d) of the Food Business Regulation (carrying on fresh provision shop business without a licence) on 23 September 2004. Evidence was

collected and the summons file was despatched to the Prosecution Section on 29 December 2004.

3.7 Upon receipt of the file, clerical staff A of the Prosecution Section mistakenly put 15 December 2004 on the information slip as the date for the offence. Not noticing the mistake, SHI(Prosecution) passed the file to clerical staff B on 5 January 2005 for allotment of departmental reference number. After that, B passed the file to clerical staff C on 10 March 2005 for application of summons. On 29 March 2005, C input the data to the Judiciary's computer system, which rejected the application because the time-bar date had expired on 22 March 2005.

3.8 To explain to the Superintendent on file why processing took over three months, SHI(Prosecution) put it down to the Judiciary's quota for summons applications preventing timely inclusion of the case for prosecution.

3.9 To prevent recurrence, bigger and more detailed reminders would be attached to the files and the staff concerned urged to check the particulars with care.

Cases 3 A and B

3.10 These two cases concerned unauthorised alteration to an approved layout of a food premises contrary to section 34D of the Food Business Regulation.

Case 3A

3.11 In Case A, FEHD last checked the layout of the licensee's premises during an inspection on 12 October 2004 and found it to be in conformity with the approved plan. According to legal advice, if a breach was subsequently detected, then unless evidence could be adduced (e.g. cautioned statement of the licensee, invoice of construction for the alteration) to ascertain the actual effective date of the unauthorised alteration, the time limit should count from the date the approved plan was last checked, i.e. 11 April 2005 in this case.

3.12 AO visited the premises on 22 March 2005 and found that the layout of the premises had been altered without authorisation. AO did not take timely action and when he prepared the summons form on 12 April 2005, the statutory time limit for prosecution had just expired.

Case 3B

3.13 In Case B, the layout plan was last checked on 22 March 2005. The breach was subsequently detected on 8 August 2005. AO was not aware of the legal advice on the method of calculation. When he submitted the summons paper to SHI(District) on 22 September 2005, the statutory time limit for prosecution had already expired.

Case 4

3.14 On 4 January 2005, a restaurant sold a dish of fried chicken with rice and this contained the remains of a cockroach, contravening section 52(1)

of the Ordinance. The customer complained to FEHD that very day.

3.15 AO interviewed the complainant and then obtained statements from the complainant and three witnesses lunching with the complainant. He then searched for business registration particulars of the owner (a limited company) of the restaurant, company registration and record of previous convictions. The case was forwarded to the Prosecution Section on 18 June 2005. However, staff of the Prosecution Section had misplaced the file and it did not surface until 2 August 2005. Meanwhile, the time-bar date had expired on 3 July 2005. Subsequently, the restaurant went out of business on 31 July 2005.

3.16 In replying to the complainant, FEHD claimed that no legal proceedings would be conducted against the licensee because the restaurant had ceased operation.

Case 5

3.17 This case concerned littering in contravention of section 4(1)(a) of the Public Cleansing and Prevention of Nuisances Regulation.

3.18 On 14 September 2005, a driver witnessed another driver in front littering and reported to FEHD, indicating willingness to testify against the offender in court. During an interview on 7 November 2005, the offender admitted under caution that he had disposed of a cigarette end through the window by the driver's seat. Summons form was prepared. The file was then despatched but for unknown reason it never reached the Prosecution

Section.

3.19 When the file re-surfaced in May 2006, the time-bar date had expired.

3.20 On 14 July 2006, FEHD wrote to the witness (i.e. the driver who reported the offence) that the case had been dropped because of insufficient evidence.

3.21 During a telephone conversation, the witness queried the FEHD decision but FEHD refused to disclose details.

Case 6

3.22 AO found obstruction of public place in contravention of section 4A of the Summary Offences Ordinance on 27 May 2005. However, despite repeated reminders from SHI(District), AO failed to submit summons paper before the time limit.

3.23 The AO also failed to meet the time limit in two other cases. Disciplinary investigation is in progress.

Case 7

3.24 This case is about food quality under section 52(1) of the Ordinance. FEHD received a complaint about the presence of darkish substances in several bottles of vitalising drink purchased on 4 May 2005. On

19 May 2005, FEHD delivered them to the Government Laboratory for examination.

3.25 The Government Laboratory issued the analysis report on 16 November 2005, i.e. after the time limit had expired on 4 November 2005. The Laboratory explained that the delay was caused by the increasing demand for food testing, exacerbated by the finding of malachite green in eels in August and September 2005. To avoid recurrence, temporary staff had been engaged and six new posts[3] for handling food complaints have been approved.

3.26 In this case, the examination by the Government Laboratory could not confirm the darkish substance to be a foreign body. FEHD considered this case to have been dropped because of insufficient evidence.

Case 8

3.27 This case is also about food quality under section 52(1) of the Ordinance. On 15 July 2004, FEHD received a complaint about deterioration of two bottles of soy milk. The complainant had bought them on the previous day and found them sour.

3.28 FEHD kept the sample in a freezer for four days. On 19 July 2004, FEHD delivered the milk to the Government Laboratory for examination. On 5 October 2004, the Government Laboratory confirmed that the milk had deteriorated.

---

[3] One Senior Chemist, two Chemists and three technicians.

3.29 Apart from the Government Laboratory certificate, AO collected evidence including statements from the witness, cautioned statement of the vendor and business registration particulars and submitted the summons form on 24 December 2004. A letter was issued to the complainant informing him of the result of chemical analysis and initiation of prosecution.

3.30 SHI(Prosecution) spotted the lapse of a few hours between discovery of sourness and lodging of the complaint and the lapse of four days in sending the milk for chemical analysis. He was aware that prosecution would be barred on 13 January 2005, he urgently sought legal advice.

3.31 Legal advice was received on 13 January 2005, indicating that because of the lapses, there was no reasonable prospect of securing a conviction. The case was dropped and the complainant informed accordingly.

Our Comments

3.32 For the cases involving the 33 summonses we studied, we have summarised their reasons for failure to meet the time-bar date:

Reasons	No. of summonses	Example
Mistake	3	Cases 1 and 2
Ignorance of legal requirement	3	Case 3B
Misplacement of file	2	Cases 4 and 5

Delay	12	Cases 3A, 6 and 8
Report issued by Government Laboratory after time limit	11	Case 7
Advice issued by Department of Justice on or after time-bar date	2	Case 8

RECENT IMPROVEMENT MEASURES

3.33 Since April 2006, FEHD has introduced measures specifically to prevent cases for prosecution from exceeding the statutory time limit, e.g.:

(a) including in the Record of Prosecution and Register of Summons the time-bar date;

(b) stapling to the file jacket a red card indicating the time-bar date (para. 3.9);

(c) including in the captions of all relevant correspondence the time-bar date;

(d) requiring staff of the Prosecution Section to check all summonses contained in a summons file and allocate separate file jackets to summonses arising from different

incidents, i.e. summonses with different offence dates should be placed in separate file jackets while summonses with the same offence date should be placed in the same file jacket;

(e) applying for summons at least seven working days before the time-bar date; and

(f) requiring staff concerned to pay special attention to the time-bar date and take prompt action.

3.34 Decisions to prosecute, or not, are taken at the district level. Before late 2006, FEHD headquarters had no role or mechanism for monitoring prosecution. However, it has since required regular returns on progress of on-going cases for prosecution:

(a) weekly returns on unauthorised alterations of the premises contrary to the approved layout plan.

(b) monthly returns on other cases for prosecution.

Districts prepare the returns for the Prosecution Section to fill in the dates when summons have been laid. Headquarters then vet these returns and compile priority lists of cases pending (i.e. summons have not yet been laid) for districts to monitor their progress. The returns are manual records but a business process re-engineering study has commenced in February 2007 as a prelude to computerized case management.

4

Observations and Opinions

TIME LIMIT

4.1 In criminal proceedings, delay may lead to injustice. The time lapse between the incident and the trial increases the stress upon the accused and the witnesses. Justice dictates, therefore, that prosecution of minor offences be brought within a short time.

4.2 There is no time limit for prosecution of indictable offences, although the Court is mindful of delay and has an inherent power to order a stay of the proceedings in case of exceptionally unjustifiable delay resulting in serious prejudice to the defendant. As regards summary offences, section 26 of the Magistrates Ordinance (para. 2.4) provides that:

> "In any case of an offence, other than an indictable offence, where no time is limited by any enactment for making any complaint or laying any information in respect of such offence, such complaint shall be made or such information

laid within 6 months from the time when the matter of such complaint or information respectively arose".

All offences actionable by FEHD are subject to this provision and, therefore, their prosecution must be initiated within six months from the date of the commission of the offence.

EXCEEDING THE TIME LIMIT

4.3 FEHD handles a massive number of cases for prosecution. Over the past three years (1 April 2003 to 31 March 2006), it had handled some 50,000 cases. According to FEHD records, only 33, or less than 0.07% of the cases processed could not proceed because time-barred.

4.4 Whether or not to prosecute is a matter of departmental policy, which is outside the scope of this study (para. 1.4). However, the points we raise here are:

(a) once it has been decided to prosecute, offenders should not be allowed to get away scot-free because of carelessness or dilatoriness of enforcement staff;

(b) the arrangements with the Government Laboratory should be better coordinated;

(c) monitoring mechanism is not evident; and

(d) the authority for dropping a case for prosecution is at too low a level.

PROSECUTION AND MONITORING OF PROGRESS

District Operations

4.5 **Late cases.** In the normal course of events, if district staff had followed the timeframe specified in the Operational Manual, they should be able to complete the investigation well before the time limit and allow two to four months for the Prosecution Section to apply for summons. For despatch at a late stage like Case 4 with only two weeks before expiry of the time-bar date, attention of the Prosecution Section should be drawn.

4.6 **Failure to follow through.** After despatch to the Prosecution Section, some officers in the district do not monitor the progress of a case. This can be seen from Case 5 where the summons file never reached the Prosecution Section but the district staff concerned was not even aware.

4.7 It is obvious that a communication gap exists between the Prosecution Section and district staff. The improvement measures implemented by FEHD in 2006 (paras. 3.33 to 3.34) should narrow this gap. However, we consider these arrangements to place too much reliance on the headquarters. There should be close and direct liaison between the Prosecution Section and district staff with regular cross-checking of the

progress of a case. In any event, the district staff, who has initiated the case, should keep the case in view till its conclusion.

4.8 **Faulty despatch procedures.** Case 5 also points to possible deficiencies in the despatch procedures. These should be reviewed to avoid loss of files in transition (para. 3.18), or to activate an early alert in case of file loss.

4.9 **Poor case management.** SHI(District) has a responsibility to monitor the progress of a case for prosecution through the Register of Summons. In Case 6, SHI(District) had noted the inaction and repeatedly reminded AO of the urgency of the case. The latter remained lethargic and the time limit expired. She was responsible for the failure of two other cases where she was under the supervision of another SHI(District) and was subject to disciplinary action.

4.10 Although the above situation might have been unique and individual, it does show that the SHI(District) concerned, as the section head, should have taken more proactive steps to pursue the case by pressing and coaching AO.

4.11 **Delay in sending food samples for analyses.** In Case 8, because of the lapses before sending the milk sample for chemical analysis, SHI(Prosecution) had to seek legal advice even though the statutory time limit was less than three weeks away.

4.12 Legal advice indicates that lapse of time in delivery of the sample

may adversely affect the prospect of conviction. It is, therefore, necessary to review the procedures for handling food samples, especially those subject to easy deterioration over time, to ensure timely analysis. Furthermore, it is also prudent to seek timely legal advice on the prospect of securing a conviction in such cases.

Prosecution Section

4.13 **Irresponsible vetting.** In Case 1, the clerical staff made a mistake in the number of summonses contained in the file. With the introduction of the measure to allocate one file jacket to each summons (para. 3.33(d)), such mistake should not recur.

4.14 This case reveals a lax and, therefore, worrying attitude among some FEHD staff. If the SHI(Prosecution) had gone through the file thoroughly to check if there was sufficient evidence to proceed, she should have spotted that there were three offences on three different dates, but only one summons form (as she claimed). She should then be alert enough to verify with the AO and SHI(District) concerned.

4.15 The Prosecution Section staff are expected to double check the evidence adduced by district staff (para. 2.10(b)). They should keep an open and inquisitive mind in vetting cases for prosecution for possible flaws and gaps in evidence. Relying on the clerical staff to check the number of summons forms does not absolve the SHI(Prosecution) from accountability and responsibility in this regard.

4.16 **Protracted processing.** Upon receipt of the summons file, the clerical staff in Case 2 made a mistake on the date the offence was committed. In this connection, FEHD should instil in staff concerned the need to be cautious when dealing with important data.

4.17 In this case, the Prosecution Section took almost three months to allot a departmental reference number and apply for summons. In response to our inquiries, FEHD confirmed that the quota imposed by the Judiciary did at the time result in backlog, thus causing delays. Prosecution staff had to give priority to more urgent cases. FEHD has since liaised with the Judiciary, which has adjusted the quota to cater for peaks and troughs. The quota for Hong Kong Island was increased from 130 to 230 per week in September 2006.

Calculation of time limit

4.18 In three years, three cases were time-barred (para. 3.32) because of unawareness of the legal advice on calculation of time limit (Case 3B). In this connection, FEHD should make sure that staff concerned are briefed of relevant advice and instructions.

4.19 We note that FEHD has tightened the measures for monitoring (para. 3.34) to ensure timely action against unauthorised alterations. It is true that the current law does leave little time for prosecution action after spotting unauthorised alteration. In Case 3A, there was a time gap of only about 20 days between discovery of the offence and the time-bar date. If the unauthorised alteration was discovered just about six months from the last plan check, prosecution could never have been initiated. This is an absurd

situation and calls for amendment of the law.

EXTENSION OF TIME LIMIT

4.20 We note that through legislative enactments, public officers are given sufficient time to take out prosecution in cases where the offence did not come to light immediately. For instance, section 17(5) of the Factories and Industrial Undertakings Ordinance, Cap. 59 provides that:

> "Notwithstanding section 26 of the Magistrates Ordinance (Cap 227), prosecution under this Ordinance ... shall be commenced within 6 months from the offence being discovered by or coming to the notice of the Commissioner[4]".

4.21 FEHD should consider amending section 34D of the Food Business Regulation and its related provision for the offence, to enable FEHD staff to initiate prosecution within six months from the unauthorised alteration being discovered or coming to their notice.

WITHDRAWAL OF PROSECUTIONS

4.22 For consistency in approving withdrawal, involvement of senior officials at directorate level is warranted. The approving officer should also vet replies to complainants to guard against errors as outlined below and

---

4 Commissioner for Labour.

damage to the credibility of enforcement.

4.23 In Case 8, the complainant was first told that prosecution would be initiated and then advised otherwise three weeks later. This can only breed puzzlement and disappointment to the complainant, and discredit for the department. Care must be exercised in communicating with complainants to ensure accuracy as well as transparency.

4.24 Cases 4 and 5 were dropped because the time-bar date had expired before FEHD could lay information for prosecution. This was, however, not what the complainants were told.

4.25 In Case 4, the time limit had expired on 3 July 2005 and the case had to be discontinued. However, in explaining to the complainant why no prosecution was to result, FEHD fudged the issue by telling the partial truth about the unlicensed restaurant ceasing operation but not that prosecution was time-barred.

4.26 In Case 5, nowhere in the file had FEHD staff ever indicated concern over the lack of evidence. However, the complainant was told that the case had been dropped due to insufficient evidence. This was simply not true.

4.27 Such action is tantamount to giving knowingly false information or bluntly put, covering up their mistake by lying to members of the public. This is even more serious than the mistake itself.

CLASSIFICATION OF CASES

4.28 In Case 7, when FEHD received the Government Laboratory's report, the time limit had expired. The case could no longer proceed regardless of the examination result. Further FEHD analysis of the report was academic. FEHD should, in truth, classify such cases as having to be dropped first because of expiry of the time-bar date.

4.29 With a number of cases with belated examination result, FEHD and the Government Laboratory had taken the initiative to close the time gap (para. 3.25). Nevertheless, we consider that FEHD should alert the Government Laboratory the urgency of the matter and check the progress to keep abreast of the time-bar date.

CONCLUDING COMMENTS

4.30 Timely and proper management of cases, particularly over significant issues such as withdrawal of prosecution, is crucial to effective and efficient discharge of duty for the administration of justice. In this connection, FEHD has introduced monitoring of on-going cases by headquarters (para. 3.34) since we initiated this investigation. We consider directorate input and supervision essential: they should, therefore, have an overview of the situation in each district and across the districts. Prosecution cases which do not proceed further (for whatever reason) and cases which have been completed

should both be monitored. Regular returns on cases prosecuted (with time spent) and those dropped (with reasons) should be submitted to headquarters for examination and random inspection of files by directorate members.

4.31 We appreciate the remedial efforts of FEHD to improve the procedures in handling cases for prosecution and in monitoring developments (paras. 3.33 to 3.34). However, we note that those supplementary instructions and guidelines have been issued through email messages. They should be consolidated and incorporated into the Operational Manual, and be reviewed from time to time for updating as necessary.

5

RECOMMENDATIONS

5.1 In safeguarding food hygiene and public health, FEHD institutes over 16,000 prosecutions every year (para. 4.3). We appreciate the burden of such magnitude and commend the department for its efforts in grappling with it amidst its other onerous responsibilities.

5.2 According to FEHD records, time-barred cases were extremely low in percentage (para. 4.3). However, they were mainly caused by mistake, ignorance of legal requirement, file misplacement or delay (para. 3.32), which were human errors that could, and should, have been avoided.

5.3 By enforcing the Public Health and Municipal Services Ordinance and various regulations, FEHD safeguards our food hygiene and public health. In this connection, the public has high expectations. Even a few slips may cause untold damage to food safety and affect public confidence in the law and its enforcement authority. Rigorous vigilance is critical.

5.4 On the basis of our observations, The Ombudsman has made the following recommendations to DFEH:

District[5] Operations

(1) to review the coordination between the District operations and the Prosecution Section to ensure close and direct liaison: paras. 4.5 to 4.7;

(2) to review despatch procedures: para. 4.8;

(3) to instil among SHIs(District) the concept of good case management: paras. 4.9 to 4.10; and

(4) to review the procedures for handling food samples, particularly those subject to easy deterioration to ensure timely analysis: paras. 4.11 to 4.12.

Prosecution Section

(5) to review the procedures for checking evidence and handling cases for prosecution in the light of Case 1: paras. 4.13 to 4.15;

(6) to impress upon staff that reliance on the clerical staff should not absolve the SHIs(Prosecution) from their responsibility: para. 4.15;

---

[5] For simplicity, District in this report denotes the Food Surveillance and Complaint Section as well (para. 2.7).

(7) to remind staff of the importance to be conscious of the time limit: para. 4.16;

(8) to remind staff to take prompt action: para. 4.17; and

(9) to assess regularly the Judiciary's quota for different prosecution units and to review its adequacy where appropriate: para. 4.17.

Extension of Time Limit

(10) to consider amending the law for prosecuting offences in relation to unauthorised alteration: paras. 4.19 to 4.21.

Withdrawal of Prosecutions

(11) to devise a system for involving directorate staff for approval to withdraw cases for prosecution: para. 4.22;

(12) to involve directorate staff for scrutinising replies to complainants on withdrawal of prosecution: para. 4.22; and

(13) to submit regular returns on prosecution cases which did not proceed (for whatever reason) for scrutiny by the directorate staff: para. 4.30.

Communication with the Public

(14) to remind staff to attend to accuracy as well as transparency in communicating with the public: para. 4.23;

(15) to disclose full and frank information to the public, wherever appropriate: paras. 4.24 to 4.26; and

(16) to warn staff against covering up mistakes by giving knowingly false information: para. 4.27.

Classification of Cases

(17) to set up guidelines on classifying cases dropped: para. 4.28.

Co-ordination with Government Laboratory

(18) alert the Government Laboratory to urgent cases and check progress to keep abreast of the time-bar date: para. 4.29.

Monitoring by Headquarters

(19) to submit regular returns on completed cases to headquarters for scrutiny: para. 4.30.

Legal Advice

(20) to review the current arrangement for disseminating important information (e.g. legal advice) to staff concerned: para. 4.18; and

(21) to review the procedures for seeking timely legal advice: para. 4.12.

Operational Manual

(22) to consolidate and incorporate the supplementary instructions into the Operational Manual: para. 4.31.

6

FINAL REMARKS

COMMENTS FROM FEHD

6.1 We have studied FEHD's comments on our draft investigation report and where appropriate, incorporated its views.

6.2 FEHD has accepted all our recommendations and has in fact already started to implement some of them. For instance, it has reminded all Prosecution Section staff of the need to focus on the time-bar date and to take prompt action (recommendations (7) and (8)). It has also devised a definition for time-barred cases (recommendation (17)).

FINAL REMARKS FROM THE OMBUDSMAN

6.3 The Ombudsman is grateful to FEHD for close cooperation throughout the investigation, prompt and positive response to our findings and proactive implementation of our recommendations. We particularly appreciate the improvement measures introduced on its own initiative shortly

after we initiated this direct investigation. We also commend the earnest service attitude of FEHD directorate in taking this exercise as an opportunity to revamp its monitoring mechanism.

6.4 We will monitor progress of implementation of our recommendations.

6.5 In conclusion, The Ombudsman sincerely thanks DFEH and his staff for assistance throughout this investigation.

---- End ----

Office of The Ombudsman

Ref. OMB/DI/155

March 2007

ANNEXES

Annex A
(para. 2.2)

Chapter 132 PUBLIC HEALTH AND MUNICIPAL SERVICES ORDINANCE

CAP 132A ABATTOIRS REGULATION

CAP 132B ADVERTISEMENTS REGULATION

CAP 132C BASEMENTS (URBAN COUNCIL) BY-LAWS

CAP 132D BATHING BEACH (REGIONAL COUNCIL) BY-LAWS

CAP 132E BATHING BEACHES REGULATION

CAP 132F CIVIC CENTRES REGULATION

CAP 132G CIVIC CENTRES (URBAN COUNCIL) BY-LAWS

CAP 132H COLOURING MATTER IN FOOD REGULATIONS

CAP 132I COMMERCIAL BATHHOUSES REGULATION

CAP 132J COMMONWEALTH WAR GRAVES COMMISSION CEMETERIES RULES

CAP 132K CONSERVANCY (URBAN COUNCIL) BY-LAWS

CAP 132L CREMATION AND GARDENS OF REMEMBRANCE (REGIONAL COUNCIL) BY-LAWS

CAP 132M CREMATION AND GARDENS OF REMEMBRANCE REGULATION

CAP 132N DESIGNATION OF LIBRARIES (REGIONAL COUNCIL AREA) ORDER

CAP 132O DESIGNATION OF LIBRARIES ORDER

CAP 132P DESIGNATION OF MUSEUMS ORDER

CAP 132Q DESIGNATION OF PUBLIC FUNERAL HALL ORDER

CAP 132R DRIED MILK REGULATIONS

CAP 132S EXHUMATION (FEES) (REGIONAL COUNCIL) BYLAW

CAP 132T EXHUMATION (FEES) (URBAN COUNCIL) BY-LAWS

CAP 132U SWEETENERS IN FOOD REGULATIONS

CAP 132V FOOD ADULTERATION (METALLIC CONTAMINATION) REGULATIONS

CAP 132W FOOD AND DRUGS (COMPOSITION AND LABELLING) REGULATIONS

CAP 132X FOOD BUSINESS REGULATION

CAP 132Y FOOD BUSINESS (URBAN COUNCIL) BY-LAWS

CAP 132Z FOOD BUSINESS REGULATION (EXEMPTION FROM SECTION 31(1)) NOTICE

CAP 132AA FOOD BUSINESS (URBAN COUNCIL) BY-LAWS (EXEMPTION FROM BY-LAW 32(1)) (CONSOLIDATION) NOTICE

CAP 132AB FROZEN CONFECTIONS (REGIONAL COUNCIL) BY-LAWS

CAP 132AC FROZEN CONFECTIONS REGULATION

CAP 132AD FUNERAL PARLOURS REGULATION

CAP 132AE FUNERAL PARLOUR (URBAN COUNCIL) BY-LAWS

CAP 132AF HARMFUL SUBSTANCES IN FOOD REGULATIONS

CAP 132AG HAWKER (PERMITTED PLACES) DECLARATION

CAP 132AH HAWKER (REGIONAL COUNCIL) BY-LAWS

CAP 132AI HAWKER REGULATION

CAP 132AJ HONG KONG CEMETERY, HAPPY VALLEY, RULES

CAP 132AK IMPORTED GAME, MEAT AND POULTRY REGULATIONS

CAP 132AL LIBRARIES REGULATION

CAP 132AM LIBRARY (URBAN COUNCIL) BY-LAWS

CAP 132AN DECLARATION OF MARKETS NOTICE

CAP 132AO DECLARATION OF MARKETS IN THE URBAN COUNCIL AREA

CAP 132AP MILK (REGIONAL COUNCIL) BYLAWS

CAP 132AQ MILK REGULATION

CAP 132AR MINERAL OIL IN FOOD REGULATIONS

CAP 132AS MOSQUITO PREVENTION (URBAN COUNCIL) BY-LAWS

CAP 132AT MUSEUMS REGULATION

CAP 132AU MUSEUMS (URBAN COUNCIL) BYLAWS

CAP 132AV DECLARATION OF OFFENSIVE TRADES NOTICE

CAP 132AW DECLARATION OF OFFENSIVE TRADES IN THE URBAN COUNCIL AREA

CAP 132AX OFFENSIVE TRADES REGULATION

CAP 132AY OFFENSIVE TRADES (URBAN COUNCIL) BY-LAWS

CAP 132AZ PLACES OF AMUSEMENT (REGIONAL COUNCIL) BYLAWS

CAP 132BA PLACES OF AMUSEMENT REGULATION

CAP 132BB PLEASURE GROUNDS (REGIONAL COUNCIL) BYLAWS

CAP 132BC PLEASURE GROUNDS REGULATI

CAP 132BD PRESERVATIVES IN FOOD REGULATIONS

CAP 132BE PRIVATE CEMETERIES (REGIONAL COUNCIL) BY-LAWS

CAP 132BF PRIVATE CEMETERIES REGULATION

CAP 132BG PRIVATE MARKETS REGULATION

CAP 132BH PUBLIC CEMETERIES (REGIONAL COUNCIL) BY-LAWS

CAP 132BI PUBLIC CEMETERIES REGULATION

CAP 132BJ PUBLIC CLEANSING AND PREVENTION OF NUISANCES (REGIONAL COUNCIL) BY-LAWS

CAP 132BK PUBLIC CLEANSING AND PREVENTION OF NUISANCES REGULATION

CAP 132BL PUBLIC CONVENIENCES (CONDUCT AND BEHAVIOUR) REGULATION

CAP 132BM PUBLIC CONVENIENCES (REGIONAL COUNCIL) BY-LAWS

CAP 132BN PUBLIC FUNERAL HALLS REGULATION

CAP 132BO PUBLIC MARKETS REGULATION

CAP 132BP PUBLIC MARKET (URBAN COUNCIL) BY-LAWS

CAP 132BQ PUBLIC SWIMMING POOLS (REGIONAL COUNCIL) BYLAWS

CAP 132BR PUBLIC SWIMMING POOLS REGULATION

CAP 132BS RESTRICTION OF HAWKING IN SPECIAL AREAS NOTIFICATION

CAP 132BT SANITATION AND CONSERVANCY REGULATION

CAP 132BU SLAUGHTERHOUSES REGULATION

CAP 132BV SLAUGHTERHOUSES (URBAN COUNCIL) BYLAWS

CAP 132BW SMOKELESS TOBACCO PRODUCTS (PROHIBITION) REGULATIONS

CAP 132BX STADIA (REGIONAL COUNCIL) BY-LAWS

CAP 132BY STADIA REGULATION

CAP 132BZ SWIMMING POOLS (REGIONAL COUNCIL) BYLAWS

CAP 132CA SWIMMING POOLS REGULATION

CAP 132CB UNDERTAKERS OF BURIALS REGULATION

CAP 132CC UNDERTAKERS OF BURIALS (URBAN COUNCIL) BY-LAWS

CAP 132CD VENTILATION OF SCHEDULED PREMISES (REGIONAL COUNCIL) BY-LAWS

CAP 132CE VENTILATION OF SCHEDULED PREMISES REGULATION

CAP 132CF VENTILATION (URBAN COUNCIL) BY-LAWS

CAP 132CG WELLS AND WATER STORAGE (URBAN COUNCIL) BY-LAWS

CAP 132CH WO HOP SHEK, SANDY RIDGE AND SANDY RIDGE (URN) CEMETERIES, PRIVATE LOTS, RULES

CAP 132CI LICENSING APPEALS BOARD RULES

CAP 132CJ PUBLIC HEALTH AND MUNICIPAL SERVICES (FEES) REGULATION

CAP 132CK PUBLIC HEALTH AND MUNICIPAL SERVICES (FEES AND CHARGES) (MUSEUMS) REGULATION

CAP 132CL APPEAL BOARD ON CLOSURE ORDERS (IMMEDIATE HEALTH HAZARD) RULES

Annex B
(para. 2.6)

Organization chart between HQs, Districts, Food Surveillance & Certification Section and Prosecution Sections in FEHD

